



**UNITED STATES DEPARTMENT OF COMMERCE**  
**Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
-----------------	-------------	----------------------	---------------------

09/218,763 12/22/98 ALEXEFF I 9624000001CP

HARNES DICKY & PIERCE  
P O BOX 828  
BLOOMFIELD HILLS MI 48303

MM71/0625

EXAMINER

HAN, J

ART UNIT PAPER NUMBER

2851

DATE MAILED: 12/25/99

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trad marks

BEST AVAILABLE COPY

# Office Action Summary

Application No.  
09/218,763

Applicant(s)  
Alexeff

Examiner  
J.K. Han

Group Art Unit  
2851

- ☐ Responsive to communication(s) filed on \_\_\_\_\_.
- ☐ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claims

- ☒ Claim(s) 1-24 is/are pending in the application.
- Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- ☒ Claim(s) 1-24 is/are rejected.
- ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- ☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

- ☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- ☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

- ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been
- ☐ received.
- ☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_.
- ☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_.

- ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

- ☒ Notice of References Cited, PTO-892
- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_
- ☐ Interview Summary, PTO-413
- ☒ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

Art Unit: 2851

## DETAILED ACTION

### *Specification*

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Because of the lengthy specification in this application, it has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is therefor requested in promptly correcting any errors of which he may become aware in the specification or drawings.

### *Drawings*

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the optical block comprised of "plastic, glass, refractory minerals, quartz, materials transparent infrared light, silicon, germanium, refractory liquids, water, and combinations thereof" and "the optical block has a substantially parabolic surface opposite the flat surface" and "the optical block has a substantially spherical surface opposite the flat surface" and "viewing means" and "coupling means for optically coupling the optical block to the image intensifying means" and the image detection means consisting of "videotape detector chip, motion picture film, and combinations thereof" must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Art Unit: 2851

The drawings are objected to under 37 CFR 1.83(a) because they fail to show how the image intensifying means, viewing means, cleaning means, recording means, color filter means, and coupling means are interconnected and controlled so as to obtain the specific operations desired by the applicant. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). Correction is required.

***Claim Rejections - 35 USC § 112***

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1-24 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

There are no details in the specification of how the parts should be interconnected and controlled so as to obtain the specific operations desired by the applicant. The block diagrams with functional labels are insufficient because the subject matter is directed to a pinhole aperture of 100 microns. Hence, structural details as to how such small element is

Art Unit: 2851

interconnected with other elements are essential for a proper understanding of the disclosed invention.

The specification further fails to provide how it is possible to obtain "an image comprising at least 180 degree field of view" since the optical block is placed behind the aperture. See Figures 4, 4a, 5, and 8 of the applicant's drawings. Notice that the field of view illustrated in the Figures are clearly less than 180 degrees. Should applicant believe there is support for the claimed subject matter, applicant is invited to explicitly point out where such support exists in the specification.

Claims 10 and 11 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 10, the alternative expression "the optical block or the image intensifying means" renders the claims indefinite because the limitation covers two different elements that are not equivalents.

In claim 11, the alternative expression "the optical block or the image intensifying means" renders the claims indefinite because the limitation covers two different elements that are not equivalents.

Serial Number: 09/218,763

-5-

Art Unit: 2851


*Conclusion*

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to J.K. Han whose telephone number is (703) 308-1703. The examiner can normally be reached on Monday-Friday from 7:30 AM to 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic, can be reached on (703) 308-1436.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-1782.

  
J.K. Han  
Patent Examiner

jkh  
6/99